



Party Designating Petitions 2011

Monroe County Board of Elections
39 West Main St., Rochester, New York 14614-1490
753-1550 (TTY# 753-1544)
www.monroecounty.gov/elections

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**RULES AND REGULATIONS
OF
STATE BOARD OF ELECTIONS**

Title 9 of The Official Compilation
Of Codes, Rules and Regulations of
The State of New York

Section 6215.1 Rules for filing designating and nominating petitions.

- (a) The sheets of a petition shall be numbered sequentially at the foot of each sheet.
- (b) All petitions containing ten or more sheets shall be accompanied by a cover sheet.
- (c) Any two or more petition sheets shall be securely fastened together by any means which will hold the pages together in numerical order.
- (d) Petition sheets may be fastened together to form one or more volumes.

Section 6215.7 Determinations;cures pursuant to Section 6-134(2) of the Election Law.

- (a) Within two(2) business days of the receipt of the petition, the Board with whom such petition was filed shall review the petition to determine whether the petition complies with the cover sheet and binding requirements of these regulations. Such review shall be limited to matters apparent on the face of the documents. Such review, and such determination, shall be without prejudice to the determination by the Board of objections and specifications of objections filed pursuant to the provisions of the Election Law.
- (b) In the event that, upon the review conducted pursuant to paragraph (a) above, the Board determines that a petition does not comply with these regulations, the Board shall forthwith notify the candidate or candidates named on the petition of its determination and the reasons therefor.
- (c) Notification of a determination of noncompliance shall be given by written notice by depositing such notice on the day of such determination with an overnight delivery service, for overnight delivery, on the next business day, or by personal delivery by the day after determination to the candidate or the contact person, if designated, at the address stated on the petition. Notification shall be given by overnight delivery or personal delivery only, unless the candidate shall have filed with the Board written authorization, signed by the candidate, for the Board to give notification by facsimile transmission. In the event that the candidate shall have authorized notification by facsimile

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***DISCLAIMER: New York State Election Law is subject to court cases that the New York State Board of Elections is a party to or made aware of.**

Note: Please remember that the candidate is responsible for the timely filing of the correct forms. The following information is provided to be helpful, but in no way replaces the requirements of the New York State Election Law, Article 6:Designation and Nomination of Candidates.

Sample petitions are available at the Monroe County Board of Elections.

Questions may be directed to the following numbers:

-Democratic Office.....753-1529

-Republican Office753-1516

For information on required filing of financial expenditure statements contact Deputy Commissioner Colleen Anderson 753-1524.

CALENDAR

JUNE 7	FIRST DAY FOR SIGNING DESIGNATING PETITIONS
JULY 11-14	DATES FOR FILING DESIGNATING PETITIONS
JULY 18	LAST DAY TO ACCEPT OR DECLINE DESIGNATIONS
JUNE 28	FIRST DAY FOR SIGNING OPPORTUNITY TO BALLOT PETITIONS
JULY 28	LAST DAY TO FILE AN OPPORTUNITY TO BALLOT PETITION WHEN A SUBSTITUTION HAS BEEN FILED TO FILL A VACANCY CREATED BY A DECLINATION OF A DESIGNATED CANDIDATE.

PRIMARY ELECTION:SEPTEMBER 13th
NOON TO 9:00 P.M.

GENERAL ELECTION:NOVEMBER 8th
6:00 A.M. TO 9:00 P.M.

RULES AND REGULATIONS OF MONROE COUNTY BOARD OF ELECTIONS

Specification of objections to designating and independent nominating petitions

(a) Any person filing general objections to any designating or independent nominating petition filed with the Monroe County Board of Elections who thereafter files specifications of his or her objections to any such petition with such board shall do so in accordance with the provisions of section 6-154 of the Election Law. All such specifications shall substantially comply with the following requirements:

(1) the page number, and line number of any signature objected to on any petition, in addition to the volume number, if more than one volume has been filed, shall be set forth in detail. In addition, any portion of any petition or any signature line or witness statement objected to shall be specifically identified and reasons given for any such objection;

(2) the total number of signatures objected to shall be set forth and all objections relating to a single signature line should be grouped together.

(b) No specifications of objections to any petition will be considered by the board unless the objector filing the specifications personally delivers or mails by registered or certified mail a duplicate copy of the specification to each candidate for public office for which objections are filed. In the case of a petition containing candidates for party positions, service of the specifications shall be made on either the named candidates or the first person named on the petition's committee to fill vacancies. Service shall be made on or before the date of filing of any specifications with the board. Proof of service shall accompany the specifications or be received by the end of business two days following the filing of the specifications, whichever is later.

(c) Any notice and/or determination relating to a petition for which specifications of objections have been filed shall be transmitted by the board to the objector filing the specifications.

such officer or board with the day, hour and minute of such filing. Such officer or board shall keep a book, which shall be open to public inspection in which shall be entered the times of filing all such petitions and certificates; the names and residences of all candidates named therein; the names and residences of all candidates certified to such officer or board; the title of the office or party position; the name of the party or independent body to which the petition or certificate relates and a memorandum of any objections to such petition or certificate. Forthwith upon the filing of a petition or certificate designating or nominating a person or persons for public office, such officer or board shall mail notice thereof to each such person. Such notice shall also state the last day to decline such designation or nomination, and include a statement that the candidate's name shall appear on the ballot as it appears in such notice.

Section 6-154. Nominations and designations; objections to.

1. Any petition filed with the officer or board charged with the duty of receiving it shall be presumptively valid if it is in proper form and appears to bear the requisite number of signatures, authenticated in a manner prescribed by this chapter.
2. Written objections to any certificate of designation or nomination or to a nominating or designating petition or a petition for opportunity to ballot for public office or to a certificate of acceptance, a certificate of authorization, a certificate of declination or a certificate of substitution relating thereto may be filed by any voter registered to vote for such public office and to a designating petition or a petition for opportunity to ballot for party position or a certificate of substitution, a certificate of acceptance or a certificate of declination relating thereto by any voter enrolled to vote for such party position. Such objections shall be filed with the officer or board with whom the original petition or certificate is filed within three days after the filing of the petition or certificate to which objection is made, or within three days after the last day to file such a certificate, if no such certificate is filed except that if any person nominated by an independent nominating petition, is nominated as a party candidate for the same office by a party certificate filed, or a party nomination made after the filing of such petition, the written objection to such petition may be filed within three days after the filing of such party certificate or the making of such party nomination. When such an objection is filed, specifications of the grounds of the objections shall be filed within six days thereafter with the same officer or board and if specifications are not timely filed, the objection shall be null and void. Each such officer or board is hereby empowered to make rules in reference to the filing and disposition of such petition, certificate, objections and specifications.
3. When a determination is made that a certificate or petition is insufficient, such officer or board shall give notice of the determination forthwith by mail to each candidate named in the petition or certificate, and, if the determination is made upon specified objections, the objector shall be notified.

MONROE COUNTY BOARD OF ELECTIONS
(As Per Section 6-136 of the NYS Election Law)
2011 SIGNATURE REQUIREMENTS - PARTY DESIGNATING

	NUMBER OF SIGNATURES REQUIRED				
<u>OFFICE</u>	<u>DEM</u>	<u>REP</u>	<u>CON</u>	<u>WOR</u>	<u>IND</u>
COUNTY WIDE OFFICES					
County Executive	2000	2000	387	64	915
County Court Judge	2000	2000	387	64	915
District Attorney	2000	2000	387	64	915
## COUNTY LEGISLATOR					
1st District - 4YR Term	226	349	24	4	41
2nd District - 4YR Term	160	261	16	2	33
3rd District - 4YR Term	255	311	20	2	33
4th District - 4YR Term	288	291	20	4	39
5th District - 4YR Term	233	306	15	2	35
6th District - 4YR Term	257	279	19	3	37
7th District - 4YR Term	255	319	22	3	37
8th District - 4YR Term	253	303	16	2	40
9th District - 4YR Term	271	344	16	2	42
10th District - 4YR Term	253	311	11	2	33
11th District - 4YR Term	250	330	13	2	37
12th District - 4YR Term	179	229	14	2	30
13th District - 4YR Term	270	291	17	2	33
14th District - 4YR Term	315	193	8	1	30
15th District - 4YR Term	272	323	17	2	45
16th District - 4YR Term	305	290	20	2	42
17th District - 4YR Term	345	230	15	3	37
18th District - 4YR Term	266	341	13	2	39
19th District - 4YR Term	268	326	22	3	37
20th District - 4YR Term	225	296	23	3	38
21st District - 4YR Term	370	78	5	4	24
22nd District - 4YR Term	396	32	3	4	10
23rd District - 4YR Term	361	145	8	2	34
24th District - 4YR Term	362	131	5	3	29
25th District - 4YR Term	388	40	3	3	14
26th District - 4YR Term	309	189	17	4	32
27th District - 4YR Term	500	60	5	4	20
28th District - 4YR Term	306	62	6	4	16
29th District - 4YR Term	375	68	6	5	15

Enrollment Data = 04/01/2011 Official Spring Enrollment Statistics for County Wide, City Wide and Town Offices

Enrollment Data = 05/31/2011 Post Reapportionment, County Legislature, City Council Districts, Greece Wards
As of: **6/01/2011**

MONROE COUNTY BOARD OF ELECTIONS

(As Per Section 6-136 of the NYS Election Law)

2011 SIGNATURE REQUIREMENTS - PARTY DESIGNATING

NUMBER OF SIGNATURES REQUIRED

<u>OFFICE</u>	<u>DEM</u>	<u>REP</u>	<u>CON</u>	<u>WOR</u>	<u>IND</u>
CITY WIDE OFFICES					
City Court Judge	1000	608	44	27	163
## Member of City Council - East Dist	500	207	12	6	61
## Member of City Council - NE Dist	500	104	8	9	26
## Member of City Council - NW Dist	500	192	18	8	43
## Member of City Council - South Dist	500	107	7	6	35
Commissioner of Schools(4)	1000	608	44	27	163
TOWN OFFICES					
Brighton	482	284	10	2	43
Chili	295	355	23	2	38
Clarkson	50	83	7	1	10
East Rochester	64	60	5	1	12
Gates	330	285	20	4	39
Greece	500	500	78	10	137
## Greece - Ward 1	238	270	22	4	35
## Greece - Ward 2	253	294	19	2	35
## Greece - Ward 3	237	252	18	3	34
## Greece - Ward 4	226	313	20	2	36
Hamlin	62	119	7	1	14
Henrietta	383	360	23	2	47
Irondequoit	500	500	35	4	79
Mendon	89	136	6	1	16
Ogden	163	256	19	2	30
Parma	126	212	14	3	24
Penfield	373	458	21	2	57
Perinton	485	500	24	3	69
Pittsford	302	382	12	1	38
Riga	43	87	5	1	10
Rush	34	53	3	1	5
Sweden	93	119	7	2	17
Webster	422	500	29	3	69
Wheatland	47	62	4	1	9
VILLAGE OFFICES					
Fairport	58	68	4	1	9

Enrollment Data = 04/01/2011 Official Spring Enrollment Statistics for County Wide, City Wide and Town Offices

Enrollment Data = 05/31/2011 Post Reapportionment, County Legislature, City Council Districts, Greece Wards

As of: 6/01/2011

8. Notwithstanding any other provision of this chapter, the failure to list a committee to fill vacancies or the failure to list at least three eligible voters as a committee to fill vacancies shall not invalidate the petition unless a vacancy occurs which, under law, may be filled only by such a committee.
9. A person other than the subscribing witness may insert the information required by the subscribing witness statement, provided that all subscribing witness information required above the subscribing witness' signature is inserted either before such subscribing witness signs the statement or in the presence of such subscribing witness.
10. The provisions of this section shall be liberally construed, not inconsistent with substantial compliance thereto and the prevention of fraud.
11. If the number of signatures on any petition sheet is understated in the witness statement, such petition sheet shall not be invalid solely because of such understatement, but such petition sheet will be deemed to contain the number of signatures indicated on such witness statement and the signatures at the end of such petition sheet that are in excess of the number so indicated shall be deemed not to have been filed.
12. A signature on a petition sheet shall not be deemed invalid solely because the address provided is the post office address of the signer provided that proof that such address is the accepted address of such signer is provided to the board of elections no later than three days following the receipt of specific objections to such signature.
13. In addition to the requirement for the signature, the printed name of the signer may be added, provided that the failure to provide a place to print the name or failure to print a name if a space is provided shall not invalidate the signature or petition.

Section 6-144. Nominating and designating petitions and certificates; place for filing.

Petitions, certificates and minutes specified in this article shall be filed in the office of the Board of Elections of the county, except as follows: for an office or position to be voted for wholly within the city of New York, in the office of the Board of Elections of that city; for an office or position to be voted for in a district greater than one county, or portions of two or more counties in the office of the state board of elections; for a village office to be filled in a village election not conducted by the board of elections, in the office of the village clerk. All such petitions and certificates shall at the time of filing thereof be endorsed by

Section 6-134. Designating petition; rules.

1. A designating petition may designate candidates for nomination for one or more public offices or for nomination for election to one or more party positions or both, but designations or nominations for which the petitions are required to be filed in different offices or petitions for the same public office or party position in different political subdivisions may not be combined in the same petition. If two or more offices having the same title are to be filled for different terms, the terms of office shall be included as part of the title of the office.
2. Sheets of a designating petition shall be delivered to the board of elections in a manner prescribed by regulations that shall be promulgated by the state board of elections, provided, however, that the sheets of any volume of a petition shall be numbered. Such regulations shall be no more restrictive than is reasonably necessary for the processing of such petitions by the board of elections. Such regulations shall be binding on the board of elections in each county and in the city of New York. When a determination is made that a designating petition does not comply with such regulations, the candidate shall have three business days from the date of such determination to cure the violation.
3. If a voter shall sign any petition or petitions designating a greater number of candidates for public office or party position than the number of persons to be elected thereto his signatures, if they bear the same date, shall not be counted upon any petition, and if they bear different dates shall be counted in the order of their priority of date, for only so many designees as there are persons to be elected.
4. A signature made earlier than thirty-seven days before the last day to file designating petitions for the primary election shall not be counted.
5. The use of titles, initials or customary abbreviations of given names by the signers of, or witnesses to, designating petitions or the use of customary abbreviations of addresses of such signers or witnesses, shall not invalidate such signatures or witness statement provided that the identity of the signer or witness as a registered voter can be established by reference to the signature on the petition and that of a person whose name appears in the registration poll ledgers.
6. An alteration or correction of information appearing on a signature line, other than the signature itself and the date, shall not invalidate such signature.
7. A signer need only place his signature upon the petition, and need not himself fill in the other required information.

MONROE COUNTY BOARD OF ELECTIONS
(As Per Section 6-136 of the NYS Election Law)
2011 SIGNATURE REQUIREMENTS - PARTY DESIGNATING

NUMBER OF SIGNATURES REQUIRED					
OFFICE	DEM	REP	CON	WOR	IND
JUDICIAL DELEGATES/ALTERNATES					
130th District** (DEM,IND,CON,WOR)	500	500	77	8	197
File NYState					
130th District*** (REP)	500	500	40	4	99
File Monroe					
131st District	500	500	50	14	132
132nd District	500	500	61	9	164
133rd District	500	433	31	16	87
134th District	500	500	104	13	183
135th District	500	500	77	8	205
139th District*** (REP,DEM,IND,CON,WOR)	237	414	27	4	47
File Monroe					

Note: ** - Includes **ALL** counties that comprise this political jurisdiction.

Note: ***Judicial Delegates/Alternates for these political jurisdictions file petitions with the County Board.

Enrollment Data = 04/01/2011 Official Spring Enrollment Statistics for County Wide, City Wide and Town Offices

Enrollment Data = 05/31/2011 Post Reapportionment, County Legislature, City Council Districts, Greece Wards

As of: 6/01/2011

Section 6-130. Designating petition; signer information.

The sheets of a designating petition must set forth in every instance the name of the signer, his or her residence address, town or city(except in the city of New York, the county), and the date when the signature is affixed.

Section 6-132. Designating petition; form.

1. Each sheet of a designating petition shall be signed in ink and shall contain the following information and shall be in substantially the following form:

I, the undersigned, do hereby state that I am a duly enrolled voter of the party and entitled to vote at the next primary election of such party, to be held on....., 20...;that my place of residence is truly stated opposite my signature hereto, and I do hereby designate the following named person (or persons) as a candidate (or candidates) for the nomination of such party for public office or for election to a party position of such party.

Names of Candidates	Public Office or party position	Place of residence(also post office address, if not identical)
_____	_____	_____
_____	_____	_____
_____	_____	_____

I do hereby appoint..(insert names and addresses of at least three persons, all of whom shall be enrolled voters of said party) as a committee to fill vacancies in accordance with the provisions of the election law.

In witness whereof, I have hereunto set my hand, the day and year placed opposite my signature.

Date	Name of Signer	Residence	Town or city (except In the city of New York, the county)
_____	_____	_____	_____
_____	_____	_____	_____

2. There shall be appended at the bottom of each sheet a signed statement of a witness who is a duly qualified voter of the state and an enrolled voter of the same political party as the voters qualified to sign the petition, and who is also a resident of the political subdivision in which the office or position is to be voted for. (Note: The requirement in the Election Law that a subscribing witness must be a resident of a political subdivision has been ruled unconstitutional. *Lerman v. Board of elections in the City of New York*, 232 F. 3d 135, 145 (2d Circ. 2000) *cert. denied*, 535 U.S. 915; *see also LaBrake v. Dukes*, 96 N.Y. 2d 913 (2001) (designating petitions; *Chou v. New York State Board of Elections*, 332 F. Supp. 2d 510 (EDNY 2004)) However, in the case of a petition for election to the party position of member of the county committee, residence in the same county shall be sufficient. Such a statement shall be accepted for all purposes as the equivalent of an affidavit, and if it contains a material false statement, shall subject the person signing it to the same penalties as if he had been duly sworn. The form of such statement shall be substantially as follows:

STATEMENT OF WITNESS

I,...(name of witness) state:I am a duly qualified voter of the State of New York and am an enrolled voter of the.....party. I now reside at.....(residence address).

Each of the individuals whose names are subscribed to this petition sheet containing.....(fill in number) signatures, subscribed the same in my presence on the dates above indicated and identified himself *or herself* to be the individual who signed this sheet.

I understand that this statement will be accepted for all purposes as the equivalent of an affidavit and, if it contains a material false statement, shall subject me to the same penalties as if I had been duly sworn.

Date:.....
.....
Signature of Witness

Witness identification information: The following information must be completed prior to filing with the board of elections in order for this petition sheet to be valid.

Town or City
_____ County

3. In lieu of the signed statement of a witness who is a duly qualified voter of the state qualified to sign the petition, the following statement signed by a notary public or commissioner of deeds shall be accepted:

On the dates above indicated before me personally came each of the voters whose signatures appear on this petition sheet containing.....(fill in number) signatures, who signed same in my presence and who, being by me duly sworn, each for himself or herself, said that the foregoing statement made and subscribed by him or her, was true.

Date:.....
.....
(Signature and official title of officer
administering oath)

4. The state board of elections shall prepare a sample form of a designating petition which meets the requirements of this section and shall distribute or cause such forms to be distributed to each board of elections. Such forms shall be made available to the public, upon request, by the state board of elections and each such board. Any petition that is a copy of such a sample shall be deemed to meet the requirements of form imposed by this section.

transmission, then the Board shall notify the candidate or the contact person, if designated, by facsimile transmission on the day of the determination to the number set forth by the candidate and shall, in addition, mail a copy of the determination to the candidate.

- (d) A candidate may, within three(3) business days of the date of a determination that the petition does not comply with these regulations, cure the violation of these regulations. Cover sheet deficiencies may be corrected by the filing of an amended cover sheet. Such cure or correction must be received by the Board of Elections no later than the third business day following such determination.
- (e) If the petition is one for an opportunity to ballot, then the first named person on the committee to receive notices or applicant(s) for the identification number or numbers under which the petition was filed shall be deemed to be the “candidate” for purposes of subparagraphs (b), (c), and (d) above.

Section 6215.8 Form of Cover Sheet

- (a) Cover sheets shall be substantially in the form set forth below.
- (b) Cover sheet for designating and independent petition.

[Place Name of Party or Independent Body Here]

Name of Candidate	Residence Address (Also mailing address if different)	Public Office or Party Position
-------------------	----------------------------------------------------------	------------------------------------

Volume Number: _____

Total Number of
Volumes in Petition: _____

Identification Numbers: _____

The petition contains the number, or in excess of the number, of valid signatures, required by the Election Law.

Contact Person to Correct Deficiencies
Name: _____

(Please Print)

Residence Address: _____
(Also mailing address if different)

Phone: _____ Fax: _____
(Include if notice by
fax desired)

I hereby authorize that notice of any determination made by the Board of Elections be transmitted to the person named above:

(Candidate or Contact Person)